

**ALEXANDRIA TOWNSHIP COMMITTEE MEETING
MINUTES
JULY 14, 2021**

This meeting was advertised in the Hunterdon County Democrat, and notice posted in the Alexandria Township Municipal Offices and the Alexandria Township Website, (www.alexandrianj.gov) as required by the Open Public Meetings Act.

Meeting Called to order at 8:16 PM.

ROLL CALL:

PRESENT: Mayor Plumer, Committeeman Pfefferle, Committeeman Kiernan, Twp. Atty. Dragan

ABSENT: None

ALSO PRESENT: CFO Rees

FLAG SALUTE:

Mayor Plumer led the flag salute.

UNFINISHED BUSINESS:

- Ordinance 2021-5-An Ordinance Amending the Code of the Township of Alexandria, Hunterdon County and State of New Jersey to Include Provisions Prohibiting All Classes of Cannabis Business within the Township-**2nd Reading**

Comm. Pfefferle made a motion, seconded by Comm. Kiernan to open public comment for Ordinance 2021-5.

Roll Call: Aye: Plumer, Pfefferle, Kiernan

Nay: None

Abstain: None

Motion Carried

As there were no public comments, Comm. Pfefferle made a motion, seconded by Comm. Kiernan to close public comment for Ordinance 2021-5.

Roll Call: Aye: Plumer, Pfefferle, Kiernan

Nay: None

Abstain: None

Motion Carried

Comm. Pfefferle made a motion, seconded by Comm. Kiernan to adopt Ordinance 2021-5.

Roll Call: Aye: Plumer, Pfefferle, Kiernan

Nay: None

Abstain: None

Motion Carried

Ordinance 2021- 005

**AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF ALEXANDRIA HUNTERDON
COUNTY AND STATE OF NEW JERSEY TO INCLUDE PROVISIONS PROHIBITING
ALL CLASSES OF CANNABIS BUSINESSES WITHIN THE TOWNSHIP**

WHEREAS, in 2020 New Jersey voters approved Public Question No. 1, which amended the New Jersey Constitution to allow for the legalization of a controlled form of marijuana called “cannabis” for adults at least twenty-one years of age; and

WHEREAS, on February 22, 2021, Governor Murphy signed into law *P.L. 2021, c. 16*, known as the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act” (the “Act”), which legalizes the recreational use of marijuana by adults twenty-one years of age or older, and establishes a comprehensive regulatory and licensing scheme for commercial recreational (adult use) cannabis operations, use and possession; and

WHEREAS, the Act establishes six marketplace classes of licensed businesses, including:

- Class 1 Cannabis Cultivator license, for facilities involved in growing and cultivating cannabis;
- Class 2 Cannabis Manufacturer license, for facilities involved in the manufacturing, preparation, and packaging of cannabis items;
- Class 3 Cannabis Wholesaler license, for facilities involved in obtaining and selling cannabis items for later resale by other licensees;
- Class 4 Cannabis Distributer license, for businesses involved in transporting cannabis plants in bulk from one licensed cultivator to another licensed cultivator, or cannabis items in bulk from any type of licensed cannabis business to another;
- Class 5 Cannabis Retailer license, for locations at which cannabis items and related supplies are sold to consumers; and
- Class 6 Cannabis Delivery license, for businesses providing courier services for consumer purchases that are fulfilled by a licensed cannabis retailer in order to make deliveries of the purchased items to a consumer, and which service would include the ability of a consumer to make a purchase directly through the cannabis delivery service which would be presented by the delivery service for fulfillment by a retailer and then delivered to a consumer.

WHEREAS, section 31a of the Act authorizes municipalities by ordinance to adopt regulations governing the number of cannabis establishments (defined in section 3 of the Act as “a cannabis cultivator, a cannabis manufacturer, a cannabis wholesaler, or a cannabis retailer”), cannabis distributors or cannabis delivery services allowed to operate within their boundaries, as well as the location manner and times operation of such establishments, distributors or delivery services, and establishing civil penalties for the violation of any such regulations; and

WHEREAS, section 31b of the Act authorizes municipalities by ordinance to prohibit the operation of any one or more classes of cannabis establishments, distributors, or delivery services anywhere in the municipality; and

WHEREAS, section 31b of the Act also stipulates, however, that any municipal regulation or prohibition must be adopted within 180 days of the effective date of the Act (*i.e.*, by August 22, 2021); and

WHEREAS, pursuant to section 31b of the Act, the failure to do so shall mean that for a period of five years thereafter, the growing, cultivating, manufacturing, selling and reselling of cannabis and cannabis items shall be permitted uses in all industrial zones, and the retail selling of cannabis items to consumers shall be a conditional use in all commercial and retail zones; and

WHEREAS, at the conclusion of the initial and any subsequent five-year period following a failure to enact local regulations or prohibitions, the municipality shall again have 180 days to adopt an ordinance regulating or prohibiting cannabis businesses, but any such ordinance would be prospective only and would not apply to any cannabis business already operating within the municipality; and

WHEREAS, the Township Committee of Alexandria Township has determined that, due to present uncertainties regarding the potential future impacts that allowing one or more classes of cannabis business might have on New Jersey municipalities in general, and on Alexandria Township in particular, it is at this time necessary and appropriate, and in the best interest of the health, safety and welfare of the Township's residents and members of the public who visit, travel, or conduct business in the

Township, to amend the Code of the Township of Alexandria, to include a new Chapter entitled "Cannabis Businesses" prohibiting all manner of marijuana-related businesses within the Township; and

WHEREAS, officials from two prominent non-profit organizations that have been established for the purpose of advising New Jersey municipalities on legal matters such as have been presented by the Act (those organizations being the New Jersey State League of Municipalities and the New Jersey Institute of Local Government Attorneys) have strongly urged that, due to the complexity and novelty of the Act; the many areas of municipal law that are or may be implicated in decisions as to whether or to what extent cannabis or medical cannabis should be permitted for land use purposes or otherwise regulated in any particular municipality; and the relatively short duration in which the Act would allow such decisions to be made before imposing an automatic authorization of such uses in specified zoning districts subject to unspecified conditions, the most prudent course of action for all municipalities, whether or not generally in favor of cannabis or medical cannabis land development and uses, would be to prohibit all such uses within the Act's 180-day period in order to ensure sufficient time to carefully review all aspects of the Act and its impacts;

NOW THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Alexandria, in the County of Hunterdon and State of New Jersey, as follows:

SECTION 1. Preamble incorporated. The preamble to this ordinance is hereby incorporated as if fully restated herein.

SECTION 2. New Chapter. The Code of the Township of Alexandria is hereby amended to provide a new chapter entitled "**Cannabis businesses**" to provide as follows:

a. Prohibition of Cannabis Businesses. Pursuant to section 31b of the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act (*P.L. 2021, c. 16*)(the "Act") and under the general police powers of the Township provided under N.J.S.A. 40:48-1 in order to protect the general health, safety and welfare of the public, all cannabis establishments, cannabis distributors or cannabis delivery services as said terms are defined in section 3 of the Act and within this Chapter are hereby prohibited from operating anywhere in the Township of Alexandria , except for the delivery of cannabis items and related supplies within the Township by a delivery service located outside of the Township.

b. Definitions. For the purposes of this Chapter, the following definitions shall apply:

CANNABIS CULTIVATOR

Any person or entity holding a Class 1 Cannabis Cultivator license issued by the State of New Jersey that grows, cultivates, or produces cannabis in the State of New Jersey, and sells, and may transport, this cannabis to other cannabis cultivators, or usable cannabis to cannabis manufacturers, cannabis wholesalers, or cannabis retailers, but not to consumers.

CANNABIS DELIVERY

The transportation of cannabis items and related supplies to a consumer. "Cannabis delivery" also includes the use by a licensed cannabis retailer of any third party technology platform to receive, process, and fulfill orders by consumers, which third party shall not be required to be a licensed cannabis establishment, distributor, or delivery service, provided that any physical acts in connection with fulfilling the order and delivery shall be accomplished by a certified

cannabis handler performing work for or on behalf of the licensed cannabis retailer, which includes a certified cannabis handler employed or otherwise working on behalf of a cannabis delivery service making off-premises deliveries of consumer purchases fulfilled by that cannabis retailer.

CANNABIS DELIVERY SERVICE

Any person or entity holding a Class 6 Cannabis Delivery license issued by the State of New Jersey that provides courier services for consumer purchases of cannabis items and related supplies fulfilled by a cannabis retailer in order to make deliveries of the cannabis items and related supplies to that consumer, and which services include the ability of a consumer to purchase the cannabis items directly through the cannabis delivery service, which after presenting the purchase order to the cannabis retailer for fulfillment, is delivered to that consumer.

CANNABIS DISTRIBUTOR

Any person or entity holding a Class 4 Cannabis Distributor license issued by the State of New Jersey that transports cannabis in bulk intrastate from one licensed cannabis cultivator to another licensed cannabis cultivator, or transports 40 cannabis items in bulk intrastate from any one class of licensed cannabis establishment to another class of licensed cannabis establishment, and may engage in the temporary storage of cannabis or cannabis items as necessary to carry out transportation activities.

CANNABIS ESTABLISHMENT

A cannabis cultivator, a cannabis manufacturer, a cannabis wholesaler, or a cannabis retailer.

CANNABIS MANUFACTURER

Any person or entity holding a Class 2 Cannabis Manufacturer license issued by the State of New Jersey, that processes cannabis items in this State by purchasing or otherwise obtaining usable cannabis, manufacturing, preparing, and packaging cannabis items, and selling, and optionally transporting, these items to other cannabis manufacturers, cannabis wholesalers, or cannabis retailers, but not to consumers.

CANNABIS RETAILER

Any person or entity holding a Class 5 Cannabis license issued by the State of New Jersey that purchases or otherwise obtains usable

cannabis from cannabis cultivators and cannabis items from cannabis manufacturers or cannabis wholesalers, and sells these to consumers from a retail store, and may use a cannabis delivery service or a certified cannabis handler for the off-premises delivery of cannabis items and related supplies to consumers. A cannabis retailer shall also accept consumer purchases to be fulfilled from its retail store that are presented by a cannabis delivery service which will be delivered by the cannabis delivery service to that consumer.

CANNABIS WHOLESALER

Any person or entity holding a Class 3 Cannabis Wholesaler license issued by the State of New Jersey that purchases or otherwise obtains, stores, sells or otherwise transfers, and may transport, cannabis items for the purpose of resale or other transfer to either another cannabis wholesaler or to a cannabis retailer, but not to consumers.

c. Enforcement/Violations.

This ordinance may be enforced by the police, or a Township official who may be authorized by the Township. Any person who violates the provisions of this ordinance shall, upon conviction, be subject to a fine of \$1,000, imprisonment for a term not exceeding 90 days and/or a period of community service not exceeding 90 days. Each day a violation exists shall be considered a separate violation.

SECTION 3. Repealer. All ordinances and resolutions or parts thereof inconsistent with this ordinance are repealed.

SECTION 4. Severability. If any section, paragraph, subsection, clause or provision of this ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged and the remainder of this ordinance shall be valid and enforceable.

SECTION 5. Renumbering. The sections, subsections and provisions of this ordinance may be renumbered as necessary or practical for codification purposes.

SECTION 6. Effective Date. This ordinance shall become effective upon adoption and final publication according to law.

- Ordinance 2021-6-An Ordinance of the Township of Alexandria, In the County of Hunterdon and State of New Jersey Amending Alexandria Township's Land Use Regulations to Prohibit All Classes of Cannabis Businesses Within the Township and Clarifying Prohibited Uses -**2nd Reading**

Comm. Pfefferle made a motion, seconded by Comm. Kiernan to open public comment for Ordinance 2021-6.

Roll Call: Aye: Plumer, Pfefferle, Kiernan

Nay: None

Abstain: None

Motion Carried

As there were no public comments, Comm. Pfefferle made a motion, seconded by Comm. Kiernan to close public comment for Ordinance 2021-6.

Roll Call: Aye: Plumer, Pfefferle, Kiernan

Nay: None

Abstain: None

Motion Carried

Comm. Pfefferle made a motion, seconded by Comm. Kiernan to adopt Ordinance 2021-6.

Roll Call: Aye: Plumer, Pfefferle, Kiernan

Nay: None

Abstain: None

Motion Carried

***TOWNSHIP OF ALEXANDRIA
COUNTY OF HUNTERDON, STATE OF NEW JERSEY***

***AN ORDINANCE OF THE TOWNSHIP OF ALEXANDRIA, IN THE COUNTY OF HUNTERDON
AND STATE OF NEW JERSEY AMENDING ALEXANDRIA TOWNSHIP'S LAND USE
REGULATIONS TO PROHIBIT ALL CLASSES OF CANNABIS BUSINESSES WITHIN THE
TOWNSHIP AND CLARIFYING PROHIBITED USES***

Ordinance 2021-006

WHEREAS, in 2020 New Jersey voters approved Public Question No. 1, which amended the New Jersey Constitution to allow for the legalization of a controlled form of marijuana called cannabis” for adults at least twenty-one years of age; and

WHEREAS, on February 22, 2021, Governor Murphy signed into law *P.L. 2021, c. 16*, known as the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act” (the “Act”), which legalizes the recreational use of marijuana by adults twenty-one years of age or older, and establishes a comprehensive regulatory and licensing scheme for commercial recreational (adult use) cannabis operations, use and possession; and

WHEREAS, among other things, section 31b of the Act authorizes municipalities by ordinance to prohibit the operation of any one or more classes (as defined by the Act) of cannabis establishments, distributors, or delivery services anywhere in the municipality; and

WHEREAS, section 31b of the Act also stipulates, however, that any municipal regulation or prohibition must be adopted within 180 days of the effective date of the Act (*i.e.*, by August 21, 2021); and

WHEREAS, pursuant to section 31b of the Act, the failure to do so shall mean that for a period of five years thereafter, the growing, cultivating, manufacturing, selling and reselling of cannabis and cannabis items shall be permitted uses in all industrial zones, and the retail selling of cannabis items to consumers shall be a conditional use in all commercial and retail zones; and

WHEREAS, at the conclusion of the initial and any subsequent five-year period following a failure to enact local regulations or prohibitions, the municipality shall again have 180 days to adopt an ordinance regulating or prohibiting cannabis businesses, but any such ordinance would be prospective only and would not apply to any cannabis business already operating within the municipality; and

WHEREAS, the Township Committee of the Township of Alexandria has determined that, due to present uncertainties regarding the potential future impacts that allowing one or more classes of cannabis business might have on New Jersey municipalities in general, and on Alexandria Township in particular, it is at this time necessary and appropriate, and in the best interest of the health, safety and welfare of the Township’s residents and members of the public who visit, travel, or conduct business in the Township, that in addition to prohibiting cannabis businesses under the general police powers afforded to the Township under N.J.S.A. 40:48-1, et seq., the Township ought to also amend its zoning regulations to prohibit all manner of marijuana-related land use and development within the Township, since section 31B of the Act also addresses cannabis regulation from a land use perspective; and

WHEREAS, officials from two prominent non-profit organizations that have been established for the purpose of advising New Jersey municipalities on legal matters such as have been presented by the Act (those organizations being the New Jersey State League of Municipalities and the New Jersey Institute of Local Government Attorneys) have strongly urged

that, due to the complexity and novelty of the Act; the many areas of municipal law that are or may be implicated in decisions as to whether or to what extent cannabis or medical cannabis should be permitted for land use purposes or otherwise regulated in any particular municipality; and the relatively short duration in which the Act would allow such decisions to be made before imposing an automatic authorization of such uses in specified zoning districts subject to unspecified conditions, the most prudent course of action for all municipalities, whether or not generally in favor of cannabis or medical cannabis land development and uses, would be to prohibit all such uses within the Act's 180-day period in order to ensure sufficient time to carefully review all aspects of the Act and its impacts.

NOW THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Alexandria , County of Hunterdon and State of New Jersey as follows:

SECTION 1. Preamble incorporated. The preamble to this ordinance is hereby incorporated as if fully restated herein.

SECTION 2. Section 115-3 entitled "Word Usage" in Chapter 115, Article II "Definition of Terms" is hereby amended to add the following new definitions:

CANNABIS CULTIVATOR

Any person or entity holding a Class 1 Cannabis Cultivator license issued by the State of New Jersey that grows, cultivates, or produces cannabis in the State of New Jersey, and sells, and may transport, this cannabis to other cannabis cultivators, or usable cannabis to cannabis manufacturers, cannabis wholesalers, or cannabis retailers, but not to consumers.

CANNABIS DELIVERY

The transportation of cannabis items and related supplies to a consumer. "Cannabis delivery" also includes the use by a licensed cannabis retailer of any third party technology platform to receive, process, and fulfill orders by consumers, which third party shall not be required to be a licensed cannabis establishment, distributor, or delivery service, provided that any physical acts in connection with fulfilling the order and delivery shall be accomplished by a certified cannabis handler performing work for or on behalf of the licensed cannabis retailer, which includes a certified cannabis handler employed or otherwise working on behalf of a cannabis delivery service making off-premises deliveries of consumer purchases fulfilled by that cannabis retailer.

CANNABIS DELIVERY SERVICE

Any person or entity holding a Class 6 Cannabis Delivery license issued by the State of New Jersey that provides courier services for consumer purchases of cannabis items and related supplies fulfilled by a cannabis retailer in order to make deliveries of the cannabis items and related supplies to that consumer, and which services include the ability of a consumer to purchase the cannabis items directly through the cannabis delivery service, which after presenting the purchase order to the cannabis retailer for fulfillment, is delivered to that consumer.

CANNABIS DISTRIBUTOR

Any person or entity holding a Class 4 Cannabis Distributor license issued by the State of New Jersey that transports cannabis in bulk intrastate from one licensed cannabis cultivator to another licensed cannabis cultivator, or transports 40 cannabis items in bulk intrastate from any one class of licensed cannabis establishment to another class of licensed cannabis establishment, and may engage in the temporary storage of cannabis or cannabis items as necessary to carry out transportation activities.

CANNABIS ESTABLISHMENT

A cannabis cultivator, a cannabis manufacturer, a cannabis wholesaler, or a cannabis retailer.

CANNABIS MANUFACTURER

Any person or entity holding a Class 2 Cannabis Manufacturer license issued by the State of New Jersey, that processes cannabis items in this State by purchasing or otherwise obtaining usable cannabis, manufacturing, preparing, and packaging cannabis items, and selling, and optionally transporting, these items to other cannabis manufacturers, cannabis wholesalers, or cannabis retailers, but not to consumers.

CANNABIS RETAILER

Any person or entity holding a Class 5 Cannabis license issued by the State of New Jersey that purchases or otherwise obtains usable cannabis from cannabis cultivators and cannabis items from cannabis manufacturers or cannabis wholesalers, and sells these to consumers from a retail store, and may use a cannabis delivery service or a certified cannabis handler for the off-premises delivery of cannabis items and related supplies to consumers. A cannabis retailer shall also accept consumer purchases to be fulfilled from its retail store that are presented by a cannabis delivery service which will be delivered by the cannabis delivery service to that consumer.

CANNABIS WHOLESALER

Any person or entity holding a Class 3 Cannabis Wholesaler license issued by the State of New Jersey that purchases or otherwise obtains, stores, sells or otherwise transfers, and may transport, cannabis items for the purpose of resale or other transfer to either another cannabis wholesaler or to a cannabis retailer, but not to consumers.

SECTION 3. Section 115-19 entitled "Applicability of regulations" in Ch. 115, Article V "Use Regulations" of the Land Use Code of the Township is hereby amended to add the following (new text is underlined thus; deleted text is in brackets [thus]):

§ 115-19 Applicability of regulations/prohibited uses.

A. Except as provided by law or this chapter, in each district, no building, structure or land shall be used or occupied except for the purposes permitted in the zoning districts as indicated in Articles III and IV herein.

B. Where a use is not specifically permitted in a zone district, it is prohibited.

C. In addition, the following uses are expressly prohibited in all zone districts:

(1) The operation of any and all classes of cannabis establishments or cannabis distributors or cannabis delivery services as said terms are defined in this chapter and in section 3 of P.L. 2021, c. 16, but not the delivery of cannabis items and related supplies within the Township by a cannabis delivery service located outside the Township.

SECTION 4. Referral to the Planning Board. Following introduction and prior to adoption, the Clerk shall cause a copy of this ordinance to be referred to the Alexandria Township Planning Board for review pursuant to *N.J.S.A. 40:55D-26*.

SECTION 5. Repealer All ordinances and resolutions or parts thereof inconsistent with this ordinance are repealed.

SECTION 6. Severability. If any section, paragraph, subsection, clause or provision of this ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged and the remainder of this ordinance shall be valid and enforceable.

SECTION 7. Effective Date. This ordinance shall take effect twenty days from the date of its adoption and upon filing with the Hunterdon County Planning Board, as required pursuant to *N.J.S.A. 40:69A-181* and *N.J.S.A. 40:55D-16*.

- Resolution 2021-093 Authorizing Change Order #2 Increasing the Total Contract Price for the Repair of the Equestrian Building Roof Project at the Township Park in the Amount Not to Exceed \$97,328.64

Comm. Pfefferle made a motion, seconded by Comm. Kiernan to approve Resolution 2021-093.

Roll Call: Aye: Plumer, Pfefferle, Kiernan

Nay: None

Abstain: None

Motion Carried

**RESOLUTION 2021-093 OF THE TOWNSHIP OF ALEXANDRIA, COUNTY OF HUNTERDON,
STATE OF NEW JERSEY AUTHORIZING CHANGE ORDER #2 INCREASING THE TOTAL
CONTRACT PRICE FOR THE REPAIR OF THE EQUESTRIAN BUILDING ROOF PROJECT AT
THE TOWNSHIP PARK IN THE AMOUNT NOT TO EXCEED \$97,328.64**

WHEREAS, pursuant to Resolution No. 2021-74, dated April 14, 2021 the Township Committee entered into a Contract dated the same date with Weatherproofing Technologies, Inc. ("Contractor") in the amount of \$223,461.19 for the replacement of the barn roof at the Alexandria Park under the Educational Services Commission of New Jersey (ESCNJ/AEPA) Co-op #65MCESCCPS, ESCNJ Contract #ESCNJ/AEPA #21-D, of which Co-op the Township is a member; and

WHEREAS, Contractor previously submitted Change Order #1 to the Township setting forth a total increase in the contract price of \$97,280.00 due to additional quantities of materials needed to complete the roof replacement project for the reasons set forth in Resolution #2021-0082 adopted by the Township Committee on May 26, 2021, approving said change order; and

WHEREAS, approximately 24,320 square feet of additional ½" plywood decking needed to be replaced due to compromised structural integrity; and

WHEREAS, the Contractor thereafter submitted a second change order dated May 26, 2021 ("Change Order 2") reflecting an additional amount due of \$48.64 to cover an increase in the unit price of \$4.002 per square foot for the roofing project instead of \$4.00 per square foot as previously anticipated and resulting in a total increase to the contract of \$97,328.64 rather than \$97,280.00 as set forth in Change Order #1; and

WHEREAS, the Township Engineer has reviewed Change Order #2 and has recommended that the Township Committee accept the revised increase in the contract price, not to exceed \$97,328.64 (calculated at a unit price of \$4.002 per square foot x 24,320 sq. ft.), thereby raising the total contract price not to exceed \$320,789.83; and

WHEREAS, N.J.S.A. 40A:11-16.7d, et seq., provides the Township with authority by way of change order to approval additional work when the quantity of a pay item is greater than 20% of the quantity proposed at the time of Contractor's proposal ; and

WHEREAS, the Township desires to approve a change order increasing the amount of the Contract by \$97,328.64 for the equestrian building roof replacement project, thereby increasing the total Contract price not to exceed \$320,789.83;

WHEREAS, the Township of Alexandria has sufficient funds to pay for the Change Order in the General Capital Account of The Township of Alexandria Account Number 04-215-56-984-000.

WHEREAS, the Township's Chief Financial Officer has certified that there are funds in place to complete the project at the revised not to exceed total Contract price.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee, Township of Alexandria, County of Hunterdon, State of New Jersey as follows:

1. The change order for the contract made with Weatherproofing Technologies, Inc. on April 14, 2021, to repair the equestrian building roof at the Township Park is hereby approved, thereby increasing the project cost in the amount not to exceed \$97,328.64.
2. The total contract price is not to exceed \$320,789.83 and the contract made April 14, 2021, is therefore amended accordingly.
3. The Mayor, Deputy Mayor, Township Administrator/Clerk, Township Engineer and CFO are authorized to take any and all action necessary to necessary to effectuate the purposes of this Resolution.

NEW BUSINESS:

- Spatial Logic Data Proposal

Township Clerk/Administrator Bobrowski provided the Township Committee with a quote from Spatial Logic Data in the amount of \$29, 650.00. This quote encompasses new software for the Building Department, DPW, and Clerk's Office. Spatial Data Logic is a municipal management software company who helps municipalities streamline and automate internal workflows and increases visibility between departments and offers online services for residents. CFO Rees will determine if the American Rescue Plan monies can be used to offset this cost.

- Coronavirus Funding

CFO Rees provided the Township Committee with an internal report as of June 30, 2021 regarding various trial balances, statements of revenue, and expenditures of the Township. The Township has been provided American Rescue Plan monies which the Township will have until December 31, 2026 to spend the funds in the following categories:

1. Replace lost public sector revenue. (the State if N.J. has provided a worksheet to calculate any loss.)
2. Investing in water, sewer, and broadband infrastructure
3. Providing premium pay for essential workers
4. Supporting public health expenditures (including ventilation improvements in congregate settings, health care settings, or other key locations)
5. Addressing COVID-19 related negative economic impacts
6. Addressing the disproportionate public health and economic impacts on the crisis on the hardest-hit communities, populations, and households.

CFO Rees advised the Township Committee that if funds are provided to agencies such as Volunteer Fire and Rescue Squads that oversee the Township, they will be mandated to comply with a federal audit of their finances to show where the money was spent and that they can not get funding from the various Townships and use the funds for the same purchases.

CFO Rees will be waiting to see what other Townships are getting approved for on spending uses and will see what is discussed at the League of Municipalities in November. The Township Committee will look into areas the monies can be used such as stormwater management where the Township could possibly hire out a contractor to replace stormwater drains and look at public sewer along Route 513 coming up from Frenchtown and public water along Route 619.

- Resolution 2021-095 Providing for the Insertion of any Special Item of Revenue in the 2021 Budget and Offsetting Appropriations for the American Rescue Plan Act of 2021

Comm. Kiernan made a motion, seconded by Comm. Pfefferle to approve Resolution 2021-095.

Roll Call: Aye: Plumer, Pfefferle, Kiernan

Nay: None

Abstain: None

Motion Carried

RESOLUTION 2021- 095

PROVIDING FOR THE INSERTION OF ANY SPECIAL ITEM OF REVENUE IN THE 2021 BUDGET AND OFFSETTING APPROPRIATIONS FOR THE

AMERICAN RESCUE PLAN ACT OF 2021

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the Township of Alexandria has received an EFT dated June 30, 2021, from the State of New Jersey providing for the payment of 50% of the allocation of the award to the Township of Alexandria from the American Rescue Plan Act of 2021 in the amount of \$248,797.15.

WHEREAS the Township of Alexandria has not previously included said amounts in the Township Budget.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Alexandria, in the County of Hunterdon, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2021 in the sum of \$248,797.15 which now available as a revenue pursuant to the provisions of statute, and

BE IT FURTHER RESOLVED that a like sum of \$248,797.15 be and the same is hereby appropriated under the caption of American Rescue Plan of 2021; and

BE IT FURTHER RESOLVED that the Township Clerk forward two certified copies of this resolution along with the electronic form to the Director of Local Government Services for approval.

CONSENT AGENDA:

All items listed with an asterisk on the agenda “*” are considered to be routine by the Township Committee and will be enacted by one motion. There will be no separate discussion of these items unless a Committee member or citizen requests, in which event the item will be removed from the General Order of Business and considered in its normal sequence on the agenda.

Motion/Roll Call: Comm. Kiernan made a motion, seconded by Comm. Pfefferle to approve the resolutions below on the Consent Agenda.

Roll Call: Aye: Plumer, Kiernan, Pfefferle

Nay: None

Abstain: None

Motion Carried

- Resolution 2021-089 Pavilion Rental Refund-Dilts

RESOLUTION 2021-089 TOWNSHIP OF ALEXANDRIA, COUNTY OF HUNTERDON, STATE OF NEW JERSEY FOR PAVILLION RENTAL REFUND

WHEREAS, payment in the amount of \$100.00 was received from Andrea Dilts for rental of the pavilion on Saturday, June 26, 2021; and

WHEREAS, said amount was deposited by the Township Clerk for deposit into the Township's Other Trust Fund account; and

WHEREAS, Ms. Dilts has cancelled her reservation for the pavilion on June 26, 2021.

NOW, THEREFORE BE IT RESOLVED, that the Alexandria Township Finance Officer be authorized to issue a refund check in the amount of \$100. 00 payable to:

Andrea Dilts
35 W. Grand Street
Hampton, NJ 08827

- Resolution 2021-090 Amending Professional Contract Service Award to Tax Attorney Martin Allen, Esq. of DiFrancesco, Bateman, Kunzman, Davis, Lehrer, and Flaum

RESOLUTION 2021-090 OF THE TOWNSHIP OF ALEXANDRIA, COUNTY OF HUNTERDON, STATE OF NEW JERSEY AMENDING PROFESSIONAL CONTRACT SERVICE AWARD TO TAX ATTORNEY MARTIN ALLEN, ESQ. OF DI FRANCESCO, BATEMAN, KUNZMAN, DAVIS, LEHRER, AND FLAUM

WHEREAS, on January 6, 2021 the Alexandria Township Committee appointed Martin Allen, Esq. of Di Francesco, Bateman, Kunzman, Davis, Lehrer, and Flaum for a one-year appointment from January 1, 2021 to December 31, 2021 as the Township Tax Attorney; and

WHEREAS, on January 6, 2021 the Alexandria Township Committee approved a budgeted amount not to exceed of \$10,000.00 in account number **01-201-20-155-127** for services to be rendered by Township Tax Attorney Martin Allen, Esq. of the Firm of Di Francesco, Bateman, Kunzman, Davis, Lehrer, and Flaum, 15 Mountain Boulevard, Warren, New Jersey 07059.

WHEREAS, the Township Committee budgeted a total of \$10,000.00 for Tax Attorney services (not out-of-pocket expenses) by the Township Tax Attorney for 2021 and bills submitted by Township Tax Attorney Martin Allen, Esq. so far for the year are \$ 11,032.50 not including out-of-pocket expenses.

NOW THEREFORE, BE IT RESOLVED by the Township of Alexandria as follows:

1. Resolution 2021-029 is amended to revise the “not to exceed number” and the Alexandria Township Chief Financial Officer shall certify that the amount of, not to exceed \$5,000.00 in excess of the already budgeted amount of \$10,000.00 set by the Township Committee is available in the following account numbered 01-201-20-155-127.

I, Michele Bobrowski, certify the above to be a true copy of a Resolution adopted by the Township Committee of the Township of Alexandria at a meeting held on July 14, 2021.

- Resolution 2021-091 2021 Tar and Chip on Various Township Roads

**RESOLUTION 2021-091 OF THE TOWNSHIP OF ALEXANDRIA, COUNTY OF HUNTERDON,
STATE OF NEW JERSEY FOR 2021 TAR AND CHIP ON VARIOUS TOWNSHIP ROADS**

WHEREAS, the Township of Alexandria approved in the 2021 budget monies for oil and chip on various roads throughout the Township; and

WHEREAS, the Township utilized services of Asphalt Paving Systems under State Contract # T0896/Blanket # 13-X-22782 and State Bid # 19 DPP00317; and

WHEREAS, the Township Chief Financial Officer certifies funds are available for this purpose and are encumbered in account # 01-201-44-900-202.

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Township of Alexandria, County of Hunterdon, State of New Jersey authorizes the following:

- 1.) Road Material for Oil/Chip for the following Township Roads:
Stonewick Development
Brookhill Road
Hartley Court
Shy Creek Road
Emily Road
- 2.) Road Material to be purchased in the amount of \$90,000.00 from Account # 01-201-44-900-202 from Asphalt Paving Systems under State Contract # T0896/Blanket # 13-X-22782

- Resolution 2021-092 Amending Resolution 2021-086 for Road Material for Globe Mills Road, Mill Pond Road, and Benjamin Court

**RESOLUTION 2021-092 OF THE TOWNSHIP OF ALEXANDRIA, COUNTY OF HUNTERDON,
STATE OF NEW JERSEY TO AMEND RESOLUTION 2021-086 FOR ROAD MATERIAL FOR
GLOBE MILLS ROAD, MILL POND ROAD, AND BENJAMIN COURT**

WHEREAS, the Township of Alexandria approved in the 2021 budget monies for road materials on various roads throughout the Township; and

WHEREAS, the Township DPW will utilize services of South State, Inc of the Morris County Co-op for asphalt road material; and

WHEREAS, the Township Chief Financial Officer certifies funds are available for this purpose and are encumbered in account # 01-201-44-900-202

WHEREAS, the Township Committee approved Resolution 2021-086 on June 9, 2021 to purchase road materials in the amount of \$140,000.00 and that the DPW would like to increase that amount to \$150,000.00 to cover any additional costs for extra material.

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Township of Alexandria, County of Hunterdon, State of New Jersey authorizes the following:

- 1.) Asphalt Road Material for the following Township Road:
Globe Mills Road \$45,000.00
Benjamin Court \$43,000.00
Mill Pond Road \$51,000.00
- 2.) Road Material to be purchased in the amount up to \$150,000.00 from Account # 01-201-44-900-202 to South State, Inc.

- Resolution 2021-094 Approval to Submit a Grant Application and Execute a Grant Contract with the New Jersey Department of Transportation for the Whitehall Road Project

**RESOLUTION 2021-094 OF THE TOWNSHIP OF ALEXANDRIA, COUNTY OF HUNTERDON,
STATE OF NEW JERSEY**

**APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT
WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE WHITEHALL
ROAD PROJECT**

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of Alexandria Township formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor, Township Engineer and Clerk are hereby authorized to submit an electronic grant application identified as MA-2022-Alexandria Township-00395 to the New Jersey Department of Transportation on behalf of Alexandria Township.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of Alexandria Township and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

ENGINEER'S REPORT:

Township Committee reviewed the attached Engineer's report from Township Engineer Decker.

APPROVAL OF MINUTES:

- June 9, 2021 Executive Session
- June 9, 2021 Township Meeting

Comm. Kiernan made a motion, seconded by Comm. Pfefferle to approve the above meeting minutes.

Roll Call: Aye: Kiernan, Pfefferle, Plumer

Nay: None

Abstain: None

Motion Carried

BILL LIST:

Comm. Kiernan made a motion, seconded by Comm. Pfefferle to approve the July 14, 2021 bill list.

Roll Call: Aye: Plumer, Pfefferle, Kiernan

Nay: None

Abstain: None

Motion Carried

PUBLIC COMMENT ON GENERAL MATTERS:

None

CORRESPONDENCE/ANNOUNCEMENTS:

Township Clerk/Administrator Bobrowski announced that the tax rate has been released and that tax bills are being printed this evening and will be mailed out by next week. The grace period for payment has been extended from August 1st to August 23rd.

Comm. Kiernan made a motion, seconded by Comm. Pfefferle to go into Executive Session. (8:35 PM)

Roll Call: Aye: Plumer, Pfefferle, Kiernan

Nay: None

Abstain: None

Motion Carried

Open Public Meetings Act RESOLUTION- Executive Session

WHEREAS, N.J.S.A. 2:4-12, Open Public Meetings Act, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist:

NOW, THEREFORE, BE IT RESOLVED by the Township of Alexandria, County of Hunterdon, State of New Jersey, as follows:

1. The public shall be excluded from discussion of the hereinafter specified subject matters.
2. The general nature of the subject matter to be discussed is as follows:

_____ A confidential or excluded matter under Federal or State Law or Court Rule.

_____ A matter involving information that may impair the Township's rights to receive funds from the United States Government.

_____ A matter constituting an unwarranted invasion of an individual's privacy rights.

- ☐ Collective Bargaining Agreement or negotiation of the Agreement.
- ☐ Matters involving the purchase, lease or acquisition of real property with public funds which it could adversely affect the public interest if discussion were disclosed.
- ☐ Tactics and techniques to protect the safety and property of the public, including investigations of violations or potential violations of the law.
- ☒ Pending or anticipated litigation or contract negotiations in which the public body is or may become a party.
Beneduce Vineyards
- ☐ Matters falling within the attorney-client privilege.
- ☒ Personnel matters involving a specific employee or officer of the Township.
DPW Laborer
Technical Assistant Position
- ☐ Deliberations of the Township occurring after a public hearing that may result in the imposition of a specific penalty or suspension or loss of a license or permit.
3. It is anticipated at this time that the above matter will be made public: at the conclusion of the litigation and at such time as attorney client confidentiality is no longer needed to protect confidentiality and litigation strategy.
 4. The executive session minutes will be placed on file in the township clerk's office and will be available to the public as provided for by New Jersey law.
 5. This Resolution shall take effect immediately.

Comm. Kiernan made a motion, seconded by Comm. Pfefferle to return to Public Session (9:19 PM).

Roll Call: **Aye: Plumer, Kiernan, Pfefferle**

Nay: None

Abstain: None

Motion Carried

Comm. Pfefferle made a motion, seconded by Comm. Kiernan to authorize the DPW to advertise for the position of Mechanic.

Roll Call: Aye: Plumer, Kiernan, Pfefferle

Nay: None

Abstain: None

Motion Carried

Comm. Pfefferle would like the Township to look into the State Bike Grant to see if any monies can be put towards the Whitehall Road project and to look into Charging Station Grants that could benefit the Township to upgrade the electric at the park barn.

The following matters were discussed in Executive Session:

- Beneduce Vineyards

The CADB had advised all parties that September 9th will be the final meeting on this matter. A complaint was made by a resident in Shy Creek Estates of patrons urinating on private property who were on a party bus coming out of Beneduce Vineyards.

- Full-time Technical Assistant

Township Clerk/Administrator Bobrowski and Construction Official Farneski will oversee the interview process and forward recommendations to the Township Committee for consideration.

- DPW Laborer

An ad for the position of DPW mechanic will be advertised.

MOTION TO ADJOURN

Comm. Pfefferle made a motion, seconded by Comm. Kiernan to adjourn at 9:22PM.

Roll Call: Aye: Plumer, Pfefferle, Kiernan

Nay: None

Abstain: None

Motion Carried

Meeting Adjourned at 9:22 PM.

Respectfully Submitted:

Michele Bobrowski, CMC/RMC

Township Clerk

I hereby certify that I have reviewed these Minutes of the Township Committee Meeting of July 14, 2021 and certify that said Minutes were approved by the Township Committee on the 11th day of August 2021.

Gabe Plumer, Mayor